

Lee J. Danforth, Esq. - SBN 73695
Richard S. Baum, Esq. - SBN 178760
CODDINGTON, HICKS & DANFORTH
A Professional Corporation, Lawyers
555 Twin Dolphin Drive, Suite 300
Redwood City, California 94065-2133
Tel. (650) 592-5400
Fax.(650) 592-5027

ATTORNEYS FOR Defendant
FARMERS INSURANCE EXCHANGE

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE CHANG, individually and as
Guardian ad Litem for ERIC SUN, disabled,

Case No.: C07-4005 EMC

Plaintiff,

vs.

[PROPOSED] ORDER GRANTING
MOTION TO DISMISS AND DIRECTING
ENTRY OF JUDGMENT PURSUANT TO
F.R.C.P. 54(b)

ROCKRIDGE MANOR CONDOMINIUM,
ROCKRIDGE MANOR HOMEOWNERS
ASSOCIATION; ROCKRIDGE MANOR
BOARD OF DIRECTORS; ROCKRIDGE
MANOR PRESIDENT OF BOARD OF
DIRECTORS CHARLES BLAKENEY;
ROCKRIDGE MANOR MANAGER EVA
AMMANN; TRUCK INSURANCE
EXCHANGE; AND DOES 1-30, inclusive,

Date: January 16, 2008

Time: 10:30 a.m.

Dept. Courtroom C

Judge: Magistrate Judge Edward M. Chen

JOINDER

UNIVERSITY OF CALIFORNIA
BERKELEY; UC BERKELEY
CHANCELLOR ROBERT BIRGENEAU; UC
BERKELEY PUBLIC RECORDS
COORDINATOR ALAN KOLLING; UC
BERKELEY GENERAL COUNSEL SUSAN
VON SEEBURG; UC BERKELEY POLICE
DEPARTMENT CHIEF VICTORIA
HARRISON; UC BERKELEY POLICE
DEPARTMENT LIEUTENANT ALAN
TEJADA; UC BERKELEY POLICE
DEPARTMENT MANAGER TOM KLATT;
UC BERKELEY POLICE DEPARTMENT
DISPATCHER CONSTANCE PEPPERS
CELAYA; and DOES 31-60, inclusive,

JOINDER

PAMELA ZIMBA, ATTORNEY AT LAW;
ALBERT COOMBES, ATTORNEY AT
LAW; and DOES 61-90, inclusive,

Defendants.

1 The motion of defendant FARMERS INSURANCE EXCHANGE ("FARMERS") to dismiss
2 plaintiffs' Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, came on
3 regularly for hearing on January 16, 2008, the Honorable Edward M. Chen, United States Magistrate
4 Judge, presiding. Richard S. Baum appeared as counsel on behalf of FARMERS and plaintiffs appeared
5 pro se.

6 Having considered the briefs filed in support of and in opposition to the motion, and having heard
7 and considered the oral arguments of counsel, and good cause appearing therefor,

8 IT IS HEREBY ORDERED that:

9 1. The motion of defendant FARMERS to dismiss is GRANTED WITHOUT LEAVE TO
10 AMEND.

11 Because this Order resolves all claims by plaintiffs against defendant FARMERS, and because the
12 Court expressly determines that there is no just reason for delay in the entry of judgment as to this
13 defendant, the Court directs, in accordance with Rule 54(b) of the Federal Rules of Civil Procedure, that
14 judgment be entered in favor of defendant FARMERS and against plaintiffs CHRISTINE CHANG and
15 ERIC SUN, with FARMERS to recover its costs of suit.

16 IT IS SO ORDERED.

17
18
19 Dated: _____

EDWARD M. CHEN
United States Magistrate Judge

PROOF OF SERVICE

(C.C.P. §§ 1011, 1013, 1013a, 2015.5)

I, the undersigned, declare that I am employed in the County of San Mateo, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 555 Twin Dolphin Drive, Suite 300, Redwood City, California 94065.

I am readily familiar with my employer's business practice for collection and processing of correspondence and documents for mailing with the United States Postal Service, mailing via overnight delivery, transmission by facsimile machine, and delivery by hand.

On December 5, 2007, I served a copy of each of the documents listed below by placing said copies for processing as indicated herein.

[PROPOSED] ORDER GRANTING MOTION TO DISMISS AND DIRECTING ENTRY OF JUDGMENT PURSUANT TO F.R.C.P. 54(b)

X U.S. MAIL: The correspondence or documents were placed in sealed, labeled envelopes with postage thereon fully prepaid on the above date placed for collection and mailing at my place of business to be deposited with the U.S. Postal Service at Redwood City, California on this same date in the ordinary course of business.

— OVERNIGHT DELIVERY: The correspondence or documents were placed in sealed, labeled packaging for overnight delivery with all charges to be paid by my employer on the above date for collection and mailing at my place of business to be deposited in a facility regularly maintained by the overnight delivery carrier, or delivered to a courier or driver authorized by the overnight delivery carrier to receive such packages, on this date in the ordinary course of business.


— HAND DELIVERY: The correspondence or documents were placed in sealed, labeled envelopes and served by personal delivery to the party or attorney indicated herein, or if upon attorney, by leaving the labeled envelopes with a receptionist or other person having charge of the attorney's office.

— FACSIMILE TRANSMISSION: The correspondence or documents were placed for transmission from (650) 592-5027 at Redwood City, California, and were transmitted to a facsimile machine maintained by the party or attorney to be served at the facsimile machine telephone number provided by said party or attorney, on this same date in the ordinary course of business. The transmission was reported as complete and without error, and a record of the transmission was properly issued by the transmitting facsimile machine.

1 PERSONS OR PARTIES SERVED:

2 Ms. Christine Chang
3 341 Tideway Drive, #214
4 Alameda, CA 94501
Telephone: (510) 769-8232

5 I certify (or declare) under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct and that this declaration was executed on December 5, 2007.

7 
8 _____
9 Marlene A. Puza

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 Court: United States District Court Northern District of California
27 Action No: C 07-4005 EMC
28 Case Name: Chang v. Rockridge